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Date: October 17, 2003

Docket No.: 1817-0147P

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☒ continuation ☐ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/750,348 filed on December 29,  
2000, the entire contents of which are hereby incorporated by  
reference,  
by

Igor SHVETS; Dmitriy KASHANIN; Dermot KELLEHER; Vivienne  
WILLIAMS; Yuri VOLKOV

for

## BIOLOGICAL ASSAYS

- ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	68-20 =	48	x 18 = \$0.00	x 9 = \$432.00
INDEPENDENT CLAIMS	5-3 =	2	x 86 = \$0.00	x 43 = \$86.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$0.00	\$903.00

3. ☒ A check in the amount of \$903.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are twenty-six (26) sheet(s) of formal drawings and/or photographs.
- 6a. ☒ A statement claiming small entity status was filed in prior Application No. 09/750,348 on March 22, 2001. See the attached copy of the statement claiming small entity status.
- 6b. ☒ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to The Provost, Fellows and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 9b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_

Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.


10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:
- BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
or  
Customer No. 02292
12. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/750,348 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.


Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Joseph A. Kolasch, #22,463

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

  
JAK/CAM/gh  
1817-0147P

Attachment(s)

**COPY**

**BOX MISSING PARTS  
PATENT  
1817-0105P**

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

Applicant: SHVETS, et al. Conf.: Unknown  
Appl. No.: 09/750,348 Group: Unknown  
Filed: December 29, 2000 Examiner: UNKNOWN  
For: BIOLOGICAL ASSAYS

**THIS IS NOT A NEW PATENT APPLICATION**

LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

March 22, 2001

Sir:

The application papers for the above-identified application were originally filed on December 29, 2000 and the application was assigned Appl. No. 09/750,348.

**DOCUMENTATION**

- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on December 29,

2000, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 1817-0105P on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 09/750,348, filed December 29, 2000, entitled "BIOLOGICAL ASSAYS."
- ☐ Attached are \_\_\_\_\_ ( ) sheet(s) of formal drawings.
- ☐ Attached is a copy of the Notice to File Missing Parts of Nonprovisional Application.
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language.
- ☐ See the attached Translator's Verification; or
- ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

**FEES**

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- ☐ Basic Filing Fee(s): \$0.00 (37 C.F.R. § 1.16(a)-(d))
- ☒ The Government Filing Surcharge under 35 U.S.C. § 1.16(e)) for late filing of filing fee, oath and/or declaration:
  - ☐ Large Entity - \$130.00
  - ☒ Small Entity - \$ 65.00)
- ☐ The Government Filing Surcharge under 37 C.F.R. § 1.17(k)) for filing of translation of non-English Specification in the amount of \$130.00:
  - ☐ was previously paid for concurrently with the filing of the application on .
  - ☐ is attached hereto.
- ☒ No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of Nonprovisional Application. However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.
- ☐ Applicant hereby respectfully petitions for a ( ) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

- ☒ A check in the amount of \$65.00 to cover the basic filing fee(s), surcharge fee(s), and any extension of time fees (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Joseph A. Kolasch, #22,463

JAK:kja  
1817-0105P

P.O. Box 747  
Falls Church, VA 22040-0747  
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Attachments

(Rev. 01/22/01)